



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 2
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NOV 02 2005

Mr. Ronald Pinzon
Environmental Coordinator
Environmental Assessment Branch
New York District, USACE
26 Federal Plaza, Room 2136
New York, New York 10278-0090

Dear Mr. Pinzon:

The Environmental Protection Agency (EPA) has reviewed the U.S. Army Corps of Engineers, New York District's (Corps) Amendment to the Draft Environmental Assessment (ADEA) on the Newark Bay Area of the New York and New Jersey Harbor Deepening Project, dated September 30, 2005. The ADEA provides an analysis of potential effects of the Corp's planned navigational dredging on the ability of the EPA to meet the goals of its Remedial Investigation and Feasibility Study for the Newark Bay Study Area (NBSA). The NBSA includes Newark Bay and portions of the Hackensack River, Arthur Kill and Kill Van Kull.

Our comments on the ADEA are as follows:

1. It should be clarified that for the purposes of the ADEA, the Corps is defining the Newark Bay Study Area (NBSA) to be just the portion of EPA's overall NBSA which coincides with the Corps' dredging areas.
2. Although it is noted on page 2 of the ADEA that the EPA will conduct Phase 1 sampling in November 2005, EPA has completed the Biologically Active Zone investigation and bathymetry. Sediment coring has also begun.
3. The EPA approved Remedial Investigation Work Plan was dated September 2, not September 6 as is referenced on page 3 of the ADEA.
4. The number of cores being collected in or near the channels to be dredged is 19, not 12. In section 2.1.1.2, second paragraph, please clarify what portion of the NBSA is being referred to. If it is only the areas to be dredged, the number of samples is 19, if it is the full NBSA, the number of samples is 28. (Please see first comment.)
5. There are no 5 inch sample segments for radiochemical analyses as is indicated in Section 1. There are only 2 inch sample segments.
6. In Section 3, the source assessment write-up indicates that EPA will be collecting samples prior to the Corps' dredging. Although we may get some source

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assessment information from the Phase I sampling, there will be a separate investigatory phase at a later date to be combined with a Combined Sewer Overflow study.

Thank you for the opportunity to comment on the EA. If you have any questions, please call Lingard Knutson at (212) 637-3747.

Sincerely yours,

A handwritten signature in cursive script, appearing to read "Grace Musumeci".

Grace Musumeci, Chief
Environmental Review Section